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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PHAM, TUAN

ART UNIT PAPER NUMBER

2643

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,483

Applicant(s)

FRAZITA ET AL.

Examiner

TUAN A PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-5, 7-12, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmelstein (Pub. No.: US 2004/0162064) in view of Chang et al. (U.S. Patent No.: 6,701,153, hereinafter, "Change").

Regarding claim 1, Himmelstein teaches a system for providing digital information to a vehicle comprising a GPS system whereby the position of the vehicle on the earth surface can be determined with relative accuracy (see figure 1, car with GPS system 16, col.2, [0028-0032]).

It should be noticed that Himmelstein fails to clearly teach a mobile satcom platform with tracking antenna to provide access to a local communications network based on the position of the vehicle determined by the GPS system, said vehicle (i.e., mobile device) obtaining from said communications network specific information based on the location of the vehicle as determined by the GPS system. However, Chang teaches such features (see figure 1, GPS 101a, satellite system 400, server network 201, col.2, ln.44-67. col.3, ln.1-67) for a purpose of updating the current position of mobile device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a mobile satcom platform with tracking antenna to provide access to a local communications network based on the position of the vehicle determined by the GPS system, said vehicle (i.e., mobile device) obtaining from said communications network specific information based on the location of the vehicle as determined by the GPS system, as taught by Chang, into view of Himmelstein in order to improve the good performance of system at low cost.

Regarding claims 2-3, Himmelstein fails to explicitly teach airplane and ship with GPS system build-in. However, Himmelstein teaches a car is including GPS system. Therefore, the GPS system is obvious to modify within the airplane and ship.

Regarding claim 4, Himmelstein further teaches the system wherein the information includes weather information specific to the location of the vehicle (see col.7, [0088], col.8, [0097]).

Regarding claim 5, Himmelstein further teaches the system wherein the weather information is a micro forecast (see col.col.5, [0064]).

Regarding claim 7, Himmelstein further teaches the system wherein the information obtained is obtained from the world wide web (see col.8, [0097]).

Regarding claims 8 and 19, Himmelstein teaches a system for providing digital information to a vehicle comprising a GPS system whereby the position of the vehicle on the earth surface can be determined with relative accuracy (see figure 1, car with GPS system 16, col.2, [0028-0032]).

It should be noticed that Himmelstein fails to clearly teach a wireless modem on the vehicle (i.e., mobile device) to transmit to a satellite a request for information specific to the location of the vehicle, receiving from said satellite information specific to the location of the vehicle. However, Chang teaches such features (Chang fails to explicitly teach a wireless modem to communicate with satellite. However, Chang teaches a mobile wireless to communication with satellite or network. Therefore, the mobile wireless device of Chang is obvious to included the wireless modem to communication with satellite or network)(see figure 1, GPS 101a, satellite system 400, server network 201, col.2, ln.44-67. col.3, ln.1-67) for a purpose of updating the current position of mobile device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a wireless modem on the vehicle (i.e., mobile device) to transmit to a satellite a request for information specific to the location of the vehicle, receiving from said satellite information specific to the location of

the vehicle, as taught by Chang, into view of Himmelstein in order improve the good performance of system at low cost.

Regarding claims 9-10, Himmelstein fails to explicitly teach airplane and ship with GPS system build-in. However, Himmelstein teaches a car is including GPS system. Therefore, the GPS system is obvious to modify within the airplane and ship.

Regarding claim 11, Himmelstein further teaches the system wherein the information includes weather information specific to the location of the vehicle (see col.7, [0088], col.8, [0097]).

Regarding claim 12, Himmelstein further teaches the system wherein the weather information is a micro forecast (see col.col.5, [0064]).

Regarding claim 14, Himmelstein further teaches the system wherein the information obtained is obtained from the world wide web (see col.8, [0097]).

Regarding claims 15 and 20, Himmelstein teaches a method for providing digital information to a vehicle, said digital information being specific to the location of the vehicle, comprising determining the location of the vehicle on the earth's surface using a GPS system (see figure 1, car with GPS system 16, col.2, [0028-0032]).

It should be noticed that Himmelstein fails to clearly teach transmitting to a satellite a request for information specific to the location of the vehicle (i.e., mobile device), said satellite in turn submitting the request to a network, accessing information specific to the vehicle from the network based on the location of the vehicle on the earth's surface. However, Chang teaches such features (see figure 1, GPS 101a,

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satellite system 400, server network 201, col.2, ln.44-67. col.3, ln.1-67) for a purpose of updating the current position of mobile device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of transmitting to a satellite a request for information specific to the location of the vehicle, said satellite in turn submitting the request to a network, accessing information specific to the vehicle from the network based on the location of the vehicle on the earth's surface, as taught by Chang, into view of Himmelstein in order to improve the good performance of system at low cost.

Regarding claim 16, Chang fails to explicitly teach a wireless modem to communicate with satellite. However, Chang teaches a mobile wireless to communication with satellite or network. Therefore, the mobile wireless device of Chang is obvious to include the wireless modem to communication with satellite or network.

Regarding claim 17, Chang further teaches the method wherein the satellite submits the request to a satellite hub (i.e., GPS MCS)(see figure 1, GPS MCS 300).

Regarding claim 18, Chang further teaches the method wherein the satellite submits the request to a network operation center (see col.2, ln.44-67. col.3, ln.1-67).

3. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmelstein (Pub. No.: US 2004/0162064) in view of Chang et al. (U.S. Patent No.:

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6,701,153, hereinafter, "Change") as applied to claims 1 and 8 above, and further in view of Curtwright et al. (U.S. Patent No.: 6,199,015, hereinafter, "Curtwright").

Regarding claims 6 and 13, Himmelstein and Chang, in combination, fails to clearly teach the system wherein the weather information is obtained from the FAA. However, Curtwright teaches such features (see col.6, ln.29-36) for a purpose of updating the weather.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of teach the system wherein the weather information is obtained from the FAA, as taught by Curtwright, in view of Himmelstein and Chang in order to update the current weather from FAA.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Johnstone et al. (U.S. Patent No. 5,898,680), Young et al. (U.S. Patent No. 6,324,405), Breed et al. (Pub. No.: U.S.2002/0198632), and Forman et al. (Pub. No.: U.S. 2003/0008611) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method for interfacing satellite communications with aircraft.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

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August 26, 2004
Examiner

Tuan Pham



HUYEN LE
PRIMARY EXAMINER